



Corporation of the Township of Brock

Staff Report to the Mayor and Members of Council

From: Debbie Vandenakker

Position: Planner

Title / Subject: 06-2021-PL PHOENIX Abutting Surplus Farm Severance Rezoning Report and By-law

Date of Report: October 19, 2021

Date of Meeting: October 25, 2021

Report No: 2021-PCA-024

1.0 Issue / Origin

A concurrent application for a Zoning By-law Amendment and Land Division for an abutting surplus farm severance process was received in April 2021.

On May 31, 2021 Council approved the Land Division comments from the Township in report 2021-CO-21 LD 064/2021 *Land Division Process Comment to Region of Durham (S2205 Concession 6, Sunderland)*. These Land Division comments are provided in the Analysis section of this report. This report deals with only the rezoning portion of the application that will allow this surplus farm severance process to be completed.

2.0 Background

The lands subject to this application are described as Part of Lot 23, Concession 6 in the Township of Brock in the Regional Municipality of Durham as shown in **Attachment 1**. The subject lands are 32.85ha (81.18 acres) of which 90% is workable.

The proposal is to sever a 1.02ha (2.52ac) parcel of land that contains an existing residential dwelling that is surplus to the farm operation resulting in a retained agricultural lot of 31.83ha (78.66ac). The proposed severed lot contains a one storey frame house built in the late 1970's and a frame shed that will be used for storage. The existing well and septic system are identified on the survey sketch and Draft R-Plan. An area has been identified for a replacement septic bed if needed in the future.

Attachment 2 contains the Severance Sketch proposed for the application.

This application is part of a two (2) step planning approval process for abutting farm severances in Brock Township:

1. Land Division Approval – LD 064-2021 approved on June 7, 2021 at Land Division Committee. Brock comment provided in report 2021-CO-21.
2. Zoning By-law Amendment – 06-2021-PL PHOENIX will be complete upon Council approval of this report and attached Zoning By-law Amendment

During the Land Division process, the Township raised concerns with the size of the severed parcel as contained in Report 2021-CO-21. All concerns were addressed with the applicant and a revised comment was provided to the Region of Durham to use as our conditions of approval for the land division process. The text of this formal comment revision was:

This is to acknowledge receipt of your correspondence dated April 29, 2021 regarding Regional File Number LD 064/2021 and your request for comment by May 31, 2021. The Township of Brock has amended its comments based on updated information from the applicant.

The Township of Brock has no objection to Land Division Application LD 064/2021 subject to the following conditions being met:

- *Removal of both the silo structure and steel frame shed north of the east/west tree line;*
- *That the retained farm parcel (31.83ha) be merged with the adjacent farm parcel (53.41ha) located west of the subject lands to satisfy the 40ha minimum RU lot size requirement; and*
- *That the requirements of the Township of Brock be satisfied, financially and otherwise.”*

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

3.0 Analysis

As noted above, the Township of Brock participated in the Land Division process through report 2021-CO-21. This report now deals with the implementation of the Land Division conditions surrounding zoning requirements.

3.1 Agency Comments

Attachment 3 provides the comments from the Kawartha Region Conservation Authority. Schedule A of the proposed Zoning By-law reflects the adjustment to the Environmental Protection zone to better reflect the existing feature.

Attachment 4 provides the comments from the Region of Durham stating no objection subject to the retained lands prohibit future residential use and that the Land Division Committee approved their application.

3.2 Township of Brock Zoning By-law

The application conforms to the Township's Zoning By-law. The applicant is still in the process of merging the adjacent farm parcel in order to create a rural lot that is 40ha (this is our minimum RU lot size as per the zoning by-law). The Zoning By-law amendment prevents any future residential use on the retained farmland.

Attachment 5 provides the suggested Zoning By-law Amendment 3078-2021.

3.3 Statutory Public Meeting

On July 21, 2021 a Statutory Public meeting was held. No public comments were received.

4.0 Related Policies / Procedures

N/A

5.0 Financial / Budget Assessment

N/A

6.0 Climate Change Impacts

No impacts anticipated as no change in land use.

7.0 Communications

N/A

8.0 Conclusion

The applicant has demonstrated the necessary policy conformity to approve this application to rezone S2205 Concession 6 in Sunderland as an abutting surplus farm dwelling severance. By-law 3078-2021 will prevent any residential development on the retained farmlands and Schedule "A" of the proposed By-law reflects the boundaries of the existing feature to update the Environmental Protection zoning on the parcel.

9.0 Recommendation

That Council approve Report 2021-PCA-024 and recommend for passing By-law 3078-2021 to enact the recommendations contained in this report.